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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/554,912

10/31/2005

Hiroyuki Fukui

Q91216

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07/02/2008

SUGHRUE-265550

2100 PENNSYLVANIA AVE. NW

WASHINGTON, DC 20037-3213

EXAMINER

JONES, MARCUS D

ART UNIT

PAPER NUMBER

3714

MAIL DATE

DELIVERY MODE

07/02/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/554,912	<b>Applicant(s)</b> FUKUI ET AL.	
	<b>Examiner</b> Marcus D. Jones	<b>Art Unit</b> 3714	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 October 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                       | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>IDS (30 January 2006), IDS (24 March 2006)</u> .              | 6) <input type="checkbox"/> Other: _____                          |



## DETAILED ACTION

### *Priority*

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claims 1-3 and 7-11 are rejected under 35 U.S.C. 102(b) as being anticipated by JP 2001-054612 (hereinafter JP '612).**

(Rejection based on machine translation)

In reference to claims 1 and 2, JP '612 discloses: A gaming machine, comprising: a plurality of reels, each of which variably presents a plurality of symbols; and a cover body, formed with a plurality of observation windows, the cover body covering the reels such that the reels are selectively viewed through one of the observation windows in accordance with a condition of a game (see Figure 6).

In reference to claim 3, JP '612 discloses: a first light source, disposed inside the reels to emit visible light and a second light source, disposed outside the reels to emit ultraviolet light, wherein; the symbols provided with the reels includes first symbols visualized by the visible light and second symbols visualized by the ultraviolet light ; and

the observation windows includes a first observation window through which the first symbols are Viewed, and a second observation window through which the first symbols and the second symbols are viewed (see Figure 3 and par 15).

In reference to claim 7, JP '612 discloses: wherein the game includes a first game, and a second game activated in accordance with a result of the first game (par 16).

In reference to claim 8, JP '612 discloses: wherein the second game is activated in a case where the first symbols viewed through the first observation window are matched with a first predetermined pattern when the reels are stopped (par 16).

In reference to claim 9, JP '612 discloses: wherein: the second light source is turned on in a case where the second game is activated, to perform a special lottery operation with the second symbols viewed through the second observation windows (par 16); and the special lottery operation is performed before the second game is executed (par 51).

In reference to claim 10, JP '612 discloses: wherein the special lottery operation determines at least one of: the number of the second game to be executed (par 36-37); odds to be provided in a case where a player wins the second game by matching the second symbols viewed through the second observation window with a second predetermined pattern when the reels are stopped; and the number of the second predetermined pattern (par 37).

In reference to claim 11, JP '612 discloses: wherein each of the second symbols is provided in a blank region on the outer periphery of each of the reels, so that the

second symbols serve as a blank symbol in a case where the first game and the second game are executed (par 18).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

**5. Claims 4-6 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP '612, and further in view of JP 2002-200243 (hereinafter JP '243).**

(Rejection based on machine translation)

In reference to claim 4, JP '612 discloses all the elements of this claim except further comprising a mirror member, which provides reflected virtual images as the first symbols viewed through the first observation window. JP '243 teaches a mirror member, which provides reflected virtual images (par 22).

It would have been obvious to a person having ordinary skill in the art at the time of the invention to combine the teachings of JP '612 and JP '243 to yield the predictable result of a gaming machine that increases excitement to the user by adding more possible pay lines from the rear of the gaming reel.

In reference to claim 5, JP '612 and JP '243 disclose all the elements of this claim. JP '243 further teaches a display, disposed behind the mirror member when viewed from the first observation window (par 22), wherein the mirror member is a half mirror, so that an image provided by the display and transmitted through the half mirror is superposed on each of the reflected virtual images, as the first symbols viewed through the first observation window (par 25).

In reference to claim 6, JP '612 and JP '243 disclose all the elements of this claim. JP '243 further teaches wherein each of the first symbols is provided on the outer periphery of each of the reels as an inversion image (par 25).

In reference to claim 13, JP '612 discloses all the elements of this claim except wherein the second observation window comprises a filter which reduces a light amount transmitted therethrough. JP '243 teaches reducing the volume of light to increase visibility of an image (par 80).

**6. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over JP '612.**

In reference to claim 12, JP '612 discloses all the elements of this claim except the reels rotating in opposite directions. It is well known in the gaming art to rotate reels

in opposite directions during game play to make the game appealing to the eye thereby increasing excitement for the player.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marcus D. Jones whose telephone number is (571)270-3773. The examiner can normally be reached on M-F 9-5 EST, Alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan M. Thai can be reached on 571-272-7147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Marcus D. Jones/  
Examiner, Art Unit 3714



Application/Control Number: 10/554,912

Page 7

Art Unit: 3714

/XUAN M. THAI/

Supervisory Patent Examiner, Art Unit 3714